



STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
KNOXVILLE ENVIRONMENTAL FIELD OFFICE  
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April 15, 2014

The Honorable Terry Frank  
Mayor, Anderson County  
100 N. Main Street  
Clinton, Tennessee 37716

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
**RECEIPT # 70123050000141337270**

Re: MS4 Program Audit – Notice of Violation  
NPDES Permit No. TNS075108  
Anderson County

Dear Mayor Frank:

On April 1, 2014, Division personnel from the Knoxville Environmental Field Office initiated an audit of Anderson County's Municipal Separate Storm Sewer System (MS4) program to review compliance with NPDES Permit Number TNS075108; issued on May 20, 2011. The Division values the cooperation of program staff throughout the inspection process. Richard Burroughs and consultants from GEOServices, LLC, were in attendance of the audit, and were able to provide information and details necessary to conduct a thorough inspection.

The following is a list of issues that must be addressed to comply with the terms and conditions of TNS075108:

Storm Water Resolution:

The current Storm Water Management Resolution (191, 01-05) is in need of revision. A thorough review during the audit has found that the resolution has multiple deficiencies; for example, the resolution does not specifically prohibit non-storm water discharges into the storm drainage system. Additionally, upcoming runoff reduction and stream buffer requirements must be addressed by resolution. The existing resolution has many erroneous components such as sinkhole buffers, a stream buffer of 100 feet off each stream bank, and regulating agricultural and silvicultural activities. In short, the resolution is in need of revision.

Storm Water Management Plan & Program Documents:

Section 4.1 of the MS4 permit requires a Storm Water Management Plan (SWMP) be developed and implemented within the first year of the permit cycle. The SWMP and resolution have not been formally developed or adopted by Anderson County staff. Additionally, an Enforcement Response Plan is required within 18 months of permit coverage (Section 4.2.3), and this document has not been created. And finally, a formal set of Standard Operating Procedures (SOP) should be developed to aid stormwater staff and to consistently implement the program. The Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff Control, and Permanent Stormwater Management components of the program must be uniformly applied, and a formal SOP will aid in that process.

Public Education and Outreach:

Section 4.2.1 of TNS075108 requires a Public Information and Education (PIE) plan be developed within the first year of permit coverage. Anderson County has no such education program or plan for engaging in community outreach projects.

Illicit Discharge Detection and Elimination:

Section 4.2.3 of TNS075108 requires storm sewer mapping, dry weather screenings of outfalls from the MS4 system, and addressing storm water pollution "hotspots". Anderson County has no scheduled mapping program, or deadlines in which the mapping will be completed. Dry weather screenings have not been conducted on a regular schedule. Furthermore, Anderson County has not inventoried their "hotspots", or engaged in reducing pollutants from these potential sources.

Construction Site Stormwater Runoff Control:

Section 4.2.4 of the MS4 permit has multiple requirements relating to land disturbance permitting. The permit requires that Anderson County review erosion control plans, issue grading permits, and inspect permitted sites for compliance. Currently, Anderson County does not have a formal plans review process. There are no formal inspection forms or checklists used for inspecting permitted sites. Furthermore, MS4 staff lack the minimum training certifications required in the permit (Section 4.2.4.i).

Permanent Stormwater Management:

The adoption of runoff reduction design standards must be in place within four years of permit coverage, according to Section 4.2.5.3 of TNS075108. Additionally, this section of the MS4 permit requires an inventory of permanent storm water structures within the storm drainage system. Anderson County has not met the 180 day deadline for creating the inventory and tracking mechanism.

Pollution Prevention/Good Housekeeping:

Section 4.2.6 of this permit requires an operation and maintenance plan be developed for individual municipal facilities within a given jurisdiction. Anderson County has not developed such plans, and must do so to comply with the terms and conditions of TNS075108.

Monitoring:

Analytical and non-analytical monitoring of impaired stream segments is required in Section 5 of the MS4 permit. Anderson County has not developed a comprehensive monitoring plan with visual stream assessments, biological sampling, and chemical monitoring of impaired streams within the jurisdiction.

Reporting:

Section 5.4 of TNS075108 requires an annual report be submitted to the Division covering the previous fiscal year's activities. Anderson County has not complied with this component of the permit in that the last annual report was submitted in September of 2012. The 2013 annual report has not been submitted as required.

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Given the number of program deficiencies, please plan to attend a compliance review meeting with Division personnel May 7, 2014 at 11:00 AM. The purpose of this meeting will be for you to outline a strategy and schedule for attaining permit compliance. You are encouraged to bring all relevant operator(s), engineer(s) and principals to the meeting. The meeting will be held at the Knoxville Field Office, which is located at 3711 Middlebrook Pike. Please contact Jason Mann to confirm your attendance of this meeting and to get directions to this office.

Again, the Division appreciates the cooperation shown during the inspection. If you have any questions or comments, please contact Jason Mann at (865) 594-1077 or [Jason.Mann@tn.gov](mailto:Jason.Mann@tn.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Atchley", with a horizontal line extending from the end of the signature.

Michael Atchley  
Tennessee Division of Water Resources

cc: Richard Burroughs, Anderson County (e-copy)  
Byron Barton, GEOServices, LLC (e-copy)  
Ben Claxton, GEOServices, LLC (e-copy)  
Doug White, GEOServices, LLC (e-copy)  
Jason Mann, TDEC-WR, (e-copy)